

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

ROLAND GUTIERREZ; SARAH  
ECKHARDT; and the TEJANO  
DEMOCRATS,

*Plaintiffs,*

V.

GREG ABBOTT, Governor of the State of Texas sued in his official capacity; and, JOSE A. ESPARZA, Deputy Secretary of State of Texas and acting Secretary of State of Texas sued in his official capacity.

*Defendants.*

CIVIL ACTION NO.  
1:21-CV- 00769- RP-JES-JVB

## PLAINTIFFS' MOTION FOR NONSUIT

Pursuant to Rule 41 of the Federal Rules of Civil Procedure, plaintiffs seek a nonsuit of their claims against the defendants. There are no pending counter-claims or claims of affirmative relief against the plaintiffs. The defendants will not be prejudiced in any way by allowing the plaintiffs to nonsuit their claims. This nonsuit is sought in good faith and in the interest of justice. Plaintiffs seek no tactical advantage by nonsuiting at this time. This motion is unopposed by any party in the litigation.

Plaintiffs pray this Court will grant their motion to nonsuit.

**DATED:** September 30, 2022

Respectfully,

By: /s/ Martin Golando

The Law Office of Martin Golando, PLLC  
Texas Bar No. 24059153  
2326 W. Magnolia Ave.  
San Antonio, Texas 78201  
Office: (210) 471-1185  
Fax: (210) 405-6772  
Email: [martin.golando@gmail.com](mailto:martin.golando@gmail.com)

Attorney for Plaintiffs

**CERTIFICATE OF SERVICE**

I certify that on this, the 30th day of September, 2022 in accordance with the Federal Rules of Civil Procedure, a true and correct copy of the foregoing document was served, via ECF, to the counsel of record in this cause of action.

/s/ Martin Golando  
Martin Golando